

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re: :
SCHOFFSTALL FARM, LLC :
d/b/a Spring Gate Winery : No. 1:24-bk-01219-HWV
d/b/a Spring Gate Brewery : Chapter 11
a/k/a Spring Gate Vineyard : Subchapter V
a/k/a Spring Gate :
Debtor :
:

**WITHDRAWAL OF OBJECTION OF CREDITOR ARCONA ROAD PROPERTIES II,
LP TO DEBTOR'S MOTION FOR INTERIM USE OF CASH COLLATERAL**

Creditor Arcona Road Properties II, LP (“Arcona”), by and through its undersigned counsel, files this Withdrawal of Objection to Debtor’s Motion for Interim Use of Cash Collateral and states as follows.

1. Debtor filed the above-referenced Chapter 11, Subchapter V bankruptcy on May 14, 2024.
2. Debtor leases certain nonresidential real estate located at 1440 Market House Lane, Mechanicsburg, Pennsylvania (the “Premises”) from Arcona pursuant to a written lease agreement (the “Arcona Lease”).
3. On May 16, 2024, Debtor filed a Motion for Interim Order Authorizing Use of Cash Collateral (the “Cash Collateral Motion”).
4. On June 6, 2024, the Court entered a Second Interim Order permitting Debtor to continue to use its Cash Collateral on an interim basis.
5. The June 6, 2024 Order provided that any creditor or party-in-interest could file objections to the Cash Collateral Motion within fourteen (14) days.

6. Arcona filed a timely Objection to the Cash Collateral Motion on June 19, 2024 on the basis that the budget attached to the Motion did not provide for the payment of rent to Arcona even though the Arcona Lease is an executory contract and Debtor continues to operate out of the Premises.

7. On July 3, 2024, Debtor filed a Motion to Reject the Arcona Lease (the "Rejection Motion").

8. Arcona does not oppose rejection of the Arcona Lease, though Arcona reserves the right to object to procedural aspects of the Rejection Motion, the right to assert claims for rejection damages and/or post-Petition rent within the time period set by this Court, and all other rights it may have under the Bankruptcy Code or other applicable law.

9. In light of the Debtor's proposed rejection of the Arcona Lease, Arcona no longer wishes to pursue its objection to the Cash Collateral Motion.

WHEREFORE, Arcona Road Properties II, LP respectfully requests that this Court enter an Order approving Arcona's withdrawal of its Objection to the Cash Collateral Motion filed on June 19, 2024.

Respectfully submitted,

WOOLFORD KANFER LAW, P.C.

Date: July 8, 2024

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